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Attorney for Defendants

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2004 FEB 13 AM 8:41

M. LIVICA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of Consumer Protection,	)	CIVIL NO. 03-1-1648-08 VSM
	)	(Other Civil Action)
)	
Plaintiff,	)	SUMMARY JUDGMENT AGAINST
	)	DEFENDANTS AMERICAN WORLD
	)	UNIVERSITY OF IOWA, INC. AND
vs.	)	AMERICAN WORLD UNIVERSITY;
	)	EXHIBITS 1 AND 2
)	
AMERICAN WORLD UNIVERSITY OF IOWA, INC., an Iowa corporation dba American World University and AMERICAN WORLD UNIVERSITY, a Louisiana corporation dba American World University,	)	Motion Filed: January 8, 2004
	)	<u>HEARING</u>
	)	Date: January 26, 2004
	)	Time: 8:30 a.m.
	)	Judge: Victoria S. Marks
)	
Defendants.	)	Trial Date: None
	)	SCF Date: None
)	

SUMMARY JUDGMENT AGAINST DEFENDANTS AMERICAN
WORLD UNIVERSITY OF IOWA, INC. AND AMERICAN WORLD UNIVERSITY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants
American World University of Iowa, Inc. and American World University, their
agents, employees, successors and assigns, directly or indirectly, individually or in
concert with others, or through any corporate or other device, be and are hereby

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WORLD UNIVERSITY OF IOWA, INC. AND AMERICAN WORLD UNIVERSITY

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American World University of Iowa, Inc. and American World University, their
agents, employees, successors and assigns, directly or indirectly, individually or in
concert with others, or through any corporate or other device, be and are hereby

permanently enjoined from

- a. Providing any post-secondary instructional programs or courses leading to a degree;
- b. Acting as or holding themselves out as a “college, academy, institute, institution, university” or anything similar thereto;
- c. Failing to comply with Hawaii Rev. Stat. Chap. 446E or § 480-2(a) in any particulars; and
- d. Owning or operating any business in the State of Hawaii or claiming to operate under the laws of the State of Hawaii until all restitution, civil penalties and costs entered herein are fully satisfied.

IT IS FURTHER ORDERED that the Business Registration Division of the Department of Commerce and Consumer Affairs of the State of Hawaii dissolve, terminate, revoke and/or cancel all trademarks, corporate registrations (including that for American World University of Iowa, Inc. and American World University) and certificates of authority held by or for the defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants American World University of Iowa, Inc. and American World University, jointly and severally, be and are hereby ordered to implement a restitution program as follows. Defendants, jointly and severally, be and are hereby ordered to immediately compile a list of those students who enrolled in or graduated from American World University between July 1, 1999 and May 27, 2003. Defendants American World University of Iowa, Inc. and American World University, jointly and severally, be and are hereby ordered to send a written offer of restitution to each such individual in the appropriate

form attached as Exhibits 1 or 2. Defendants, jointly and severally, be and are hereby ordered to make restitution to anyone requesting it within twenty days of the receipt of such a request.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant American World University of Iowa, Inc. be and hereby is liable to Plaintiff for civil penalties in the amount of \$125,000.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant American World University be and hereby is liable to Plaintiff for civil penalties in the amount of \$125,000.00.

There are no remaining claims against any party.

DATED: Honolulu, Hawaii, _____.

Judge of the above-entitled Court

APPROVED AS TO FORM:

JEFFREY E. BRUNTON, ESQ.

Civil No. 03-1-1648-08 VSM; State vs. American World University of Iowa, Inc. et al.; SUMMARY JUDGMENT AGAINST DEFENDANTS AMERICAN WORLD UNIVERSITY OF IOWA, INC. AND AMERICAN WORLD UNIVERSITY

Date

Name
Address
City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, American World University of Iowa and American World University were operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid conditioned only on return of the diploma. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us with the diploma. Your refund will be processed within twenty days from its receipt.

If you choose to accept this offer, you will be barred from seeking any other damages against the university. You should know that under Hawaii law, you have the right to bring your own lawsuit for damages and, in the event you prevail, you would be awarded not less than \$1,000 or threefold the damages, whichever is greater. You would also, in that event, be awarded your attorneys fees.

If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

Maxine Asher, President
American World University of Iowa
American World University

Enc.

Date

Name
Address
City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, American World University of Iowa and American World University were operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

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If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

Maxine Asher, President
American World University of Iowa
American World University

Enc.

EXHIBIT 1

Yes, I would like a full refund of all tuition paid. My diploma is enclosed.
Please send the refund to:

Name

Street Address

City, State, ZipCode

Country

Dated: _____.

Signature

Date

Name
Address
City, State Zip Code

Dear Student:

We are writing to inform you that during your course of studies, American World University of Iowa and American World University were operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By, law such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all students a full refund of the tuition paid. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us. Your refund will be processed within twenty days from its receipt.

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If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours, □

Maxine Asher, President □
American World University of Iowa □
American World University □

Enc.

Date

Name
Address
City, State Zip Code

Dear Student:

We are writing to inform you that during your course of studies, American World University of Iowa and American World University were operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By, law such violations are automatically considered unfair or deceptive business practices.

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If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

Maxine Asher, President
American World University of Iowa
American World University

Enc.

EXHIBIT

2

Yes, I would like a full refund of all tuition paid. Please send the refund to:

Name

Street Address

City, State, ZipCode

Country

Dated: _____.

Signature